

SENATE RECORD VOTE ANALYSIS

104th Congress
2nd Session

Vote No. 219

July 23, 1996, 11:39 am
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WELFARE REFORM RECONCILIATION/No Welfare for Drug Convicts

SUBJECT: Personal Responsibility and Work Opportunity Act of 1996 . . . S. 1956. Domenici motion to waive the Santorum (for Gramm) amendment No. 4935.

ACTION: MOTION AGREED TO, 74-25

SYNOPSIS: As reported, S. 1956, the Personal Responsibility and Work Opportunity Act of 1996, will enact major welfare reforms. The Aid to Families with Dependent Children (AFDC) program will be replaced with a new Temporary Assistance for Needy Families (TANF) block grant to the States. The TANF block grant will be capped through 2001. Time limits will be placed on individuals receiving TANF benefits. Overall, the growth in non-Medicaid welfare spending will be slowed to 4.3 percent annually. The bill originally included major Medicaid reforms, but most of those provisions were stricken when the bill was reported. Without those Medicaid reforms, welfare spending will still be reduced by \$61.4 billion over 6 years.

The Gramm amendment would deny Federal welfare benefits (with a few limited exceptions) to anyone convicted of the illegal possession, use, or distribution of a drug. Benefits would be denied for 5 years for a misdemeanor conviction and would be permanently denied for a felony conviction. Welfare eligibility for family members of an individual convicted of a drug offense would not be affected. The exceptions to this prohibition would be emergency medical service, short-term, in-kind, emergency disaster relief, public health assistance for immunizations, and public health assistance for the treatment of communicable diseases if necessary to prevent the spread of such diseases. The amendment would be effective upon enactment of this Act.

Following debate, Senator Exon raised the point of order that the Gramm amendment was not germane and thus violated section 305(b) of the Budget Act. Senator Domenici then moved to waive that section for the consideration of the amendment. Generally, those favoring the motion to waive favored the amendment; those opposing the motion to waive opposed the amendment.

NOTE: A three-fifths majority (60) vote of the Senate is required to waive the Budget Act. Following the vote, the amendment was adopted by voice vote.

Those favoring the motion to waive contended:

(See other side)

YEAS (74)				NAYS (25)		NOT VOTING (1)	
Republican (45 or 87%)		Democrats (29 or 62%)		Republicans (7 or 13%)	Democrats (18 or 38%)	Republicans (1)	Democrats (0)
Abraham	Helms	Baucus	Graham	Bennett	Akaka	Kassebaum- ⁴	
Ashcroft	Hutchison	Biden	Harkin	Chafee	Bingaman		
Bond	Inhofe	Boxer	Heflin	Hatch	Bradley		
Brown	Kempthorne	Breaux	Johnston	Hatfield	Feingold		
Burns	Kyl	Bryan	Kerry	Jeffords	Glenn		
Campbell	Lott	Bumpers	Leahy	Mack	Hollings		
Coats	Lugar	Byrd	Levin	Specter	Inouye		
Cochran	McCain	Conrad	Lieberman		Kennedy		
Cohen	McConnell	Daschle	Mikulski		Kerrey		
Coverdell	Murkowski	Dodd	Nunn		Kohl		
Craig	Nickles	Dorgan	Pryor		Lautenberg		
D'Amato	Pressler	Exon	Reid		Moseley-Braun		
DeWine	Roth	Feinstein	Rockefeller		Moynihan		
Domenici	Santorum	Ford	Wellstone		Murray		
Faircloth	Shelby		Wyden		Pell		
Frahm	Simpson				Robb		
Frist	Smith				Sarbanes		
Gorton	Snowe				Simon		
Gramm	Stevens					EXPLANATION OF ABSENCE: 1—Official Business 2—Necessarily Absent 3—Illness 4—Other	
Grams	Thomas						
Grassley	Thompson						
Gregg	Thurmond						
	Warner						
						SYMBOLS: AY—Announced Yea AN—Announced Nay PY—Paired Yea PN—Paired Nay	

Welfare should not be used to support drug habits. Welfare should only be a temporary assistance program that helps people while they find gainful employment. Drug abusers, though, are not going to find gainful employment. They are not going to be employed, because nearly all employers test their job applicants for illegal drug use. Further, taking illegal drugs is hardly a constructive means of preparing oneself for the work force. It is self-destructive, often fatal behavior that affects not only the drug abusers, but also their families and their communities. Giving money to people that they will use to ruin their and others' lives does not do them any favors. Taxpayers should not be forced through welfare to subsidize the self-destruction of drug abusers. The Gramm amendment would set a very clear standard; everyone would understand the consequences. Once this bill went into effect, anyone convicted of a drug violation would be denied welfare. We urge Senators to support this commonsense proposal.

Those opposing the motion to waive contended:

Argument 1:

The Gramm amendment is wrong on substance. Drug users need help. If we were to pass this amendment, we would deny them access to the social service programs that they need to help them break their addictions. Drug users should be given more, not less, welfare. The court systems recognize that this approach is often cost-effective; first-time offenders are frequently spared prison if they agree to enter drug treatment programs. The Gramm amendment would shut the door on efforts to rehabilitate drug addicts. We therefore urge its rejection.

Argument 2:

Our colleagues are right--people convicted of violating drug laws should not be given welfare. However, we think that decision should be left up to the States. This bill will give States block grants to run welfare programs on the belief that the States will be able to run them better without a lot of Federal strings attached. We have been attaching strings to the States' block grants. Now our colleagues want to add one more. We need to stop adding mandates. We are confident that States will do what is necessary to make certain that drug abusers do not receive welfare. A Federal mandate is not needed, and, like all mandates, will create administrative burdens. We therefore urge our colleagues not to waive the Budget Act for the consideration of the Gramm amendment.